

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Ronald Gary,	)	C.A. #4:06-2216-PMD-TER
	)	
Plaintiff,	)	
	)	
vs.	)	<b><u>ORDER</u></b>
	)	
NFN Brewington, RN; NFN Sherman, M.D.,	)	
NFN Dougherty, Director of Greenville County	)	
Detention Center,	)	
	)	
Defendants.	)	
	)	

This matter is before the court upon the report and recommendation of the United States Magistrate Judge made in accordance with this Court's Order of Reference and 28 U.S.C. § 636(b)(1)(B). Because petitioner is pro se, this matter was referred to the magistrate judge.<sup>1</sup>

This Court is charged with conducting a de novo review of any portion of the magistrate judge's report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636(b)(1). No objections have been filed to the magistrate judge's report.

A review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. For the reasons articulated by the magistrate judge, it is **ordered** that defendants' motions to dismiss and for summary judgment [documents #13 and #26] are **DENIED without prejudice** with the right to re-file,, and plaintiff's motions to amend his complaint to add

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<sup>1</sup>Pursuant to the provisions of Title 28 United States Code, § 636(b)(1)(B), and Local Rule 73.02(B)(2)(d), D.S.C., the magistrate judge is authorized to review all pretrial matters and submit findings and recommendations to this Court.

Greenville County as a defendant [documents #30 and #32] are **GRANTED**. Plaintiff shall have twenty (20) days from the date of this Order to file a complete Amended Complaint.

**FURTHER ORDERED**, that the magistrate judge's report and recommendation is adopted as the order of this Court, and this matter is referred back to Magistrate Judge Rogers for further handling consistent with this order.

**AND IT IS SO ORDERED.**

  
PATRICK MICHAEL DUFFY  
United States District Judge

Charleston, South Carolina  
September 4, 2007